

**UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)	
)	Case No.: 23-01210
)	
Dawn Joi,)	Chapter 7
)	
Debtor.)	Hon. A. Benjamin Goldgar
)	
)	Hearing Date: June 26, 2023
)	Hearing Time: 9:30 A.M.
)	

NOTICE OF MOTION

PLEASE TAKE NOTICE that, on June 26, 2023, at 9:30 a.m., I will appear before the Honorable A. Benjamin Goldgar, or any judge sitting in that judge's place, **either** in Courtroom 642 of the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, Illinois 60604, or electronically as described below, and present the **Trustee's Motion to Employ Broker**, a copy of which is attached.

All parties in interest, including the movant, may appear for the presentment of the motion either in person or electronically using Zoom for Government

You may appear electronically by video or by telephone.

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is 161 500 0972, and the passcode is 726993. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

Dated: June 8, 2023

Respectfully submitted,

**AJA CARR FAVORS, NOT INDIVIDUALLY
BUT AS CHAPTER 7 TRUSTEE OF DAWN
JOI**

By: /s/ Reed Heiligman

Reed Heiligman (No. 6294312)
HILTZ ZANZIG & HEILIGMAN LLC
53 West Jackson Blvd., Suite 1301
Chicago, Illinois 60604
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reed@hzhlaw.com

CERTIFICATE OF SERVICE

I, Reed Heiligman, an attorney, hereby certify that, on June 8, 2023, I caused a true and correct copy of the foregoing **Notice of Motion** and **Trustee's Motion to Employ Broker** to be served on the following via the indicated means:

VIA CM/ECF:

- **Aja M Carr Favors** trustee@favorslawfirm.com, afavors@ecf.axosfs.com; bkadmin@axosfs.com
- **David Freydin** david.freydin@freydinlaw.com, vincent@freydinlaw.com
- **Patrick S Layng** USTPRegion11.ES.ECF@usdoj.gov
- **Joel Rabb** joelrabb@gmail.com, anne@joelrabblaw.com

VIA US MAIL:

Dawn Joi
5 N Wabash Ave, Unit 1705
Chicago, IL 60602

Darion Mitchell
3817 S Ellis Ave. Ste. 302
Chicago, Illinois 60653

By: /s/ Reed Heiligman

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TRUSTEE’S MOTION TO EMPLOY BROKER

Aja Carr Favors (the “Trustee”), not individually but as Chapter 7 Trustee of the bankruptcy estate of Dawn Joi (the “Debtor”), by her attorneys, Hiltz Zanzig & Heiligman LLC, states the following in support of the Trustee’s Motion to Employ Broker (the “Motion”):

BACKGROUND

1. The Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. Consideration of the motion is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A), (M) and (O).

2. On January 30, 2023 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 7 of title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division (the “Bankruptcy Court”).

3. Aja Carr Favors is the duly appointed and qualified chapter 7 trustee of the case.

4. The Debtor’s Schedule A/B reflects that she owns certain real property located at 3817 S Ellis Ave, Unit 302, Chicago, IL 60653 (the “Ellis Ave. Property”). The

Trustee subsequently learned that the Debtor is the sole owner of Dawn Joi & Co., Inc., an Illinois corporation, which owns a parking space located at 8 W. Monroe, P-81, Chicago, IL 60603 (the “Parking Space” and with the Ellis Ave. Property, the “Real Estate”)

5. The Trustee believes that the Real Estate can be sold for the benefit of the Debtor’s creditors.

RELIEF REQUESTED

6. The Trustee requires the assistance of a real estate broker experienced in marketing property similar to the Real Estate in the same geographic area for the purpose of marketing the Real Estate for sale.

7. The Trustee has consulted with and desires to enter into a real estate brokerage agreement with Adam Wolverton of Berkshire Hathaway Home Services Chicago Realty Group, which maintains offices at 550 Pennsylvania Avenue, Glen Ellyn, IL 60137 (collectively the “Broker”), for listing the Real Estate for sale.

8. The Broker is familiar with the area in which the Real Estate is located, has substantial experience in marketing similar real estate, and is well-qualified to assist Trustee in marketing the Real Estate for sale.

9. Attached hereto and made a part hereof as **Group Exhibit A** are proposed agreements with the Broker to market and list the Real Estate (collectively, the “Listing Agreements”).

10. The Trustee proposes that any and all contracts for the sale of the Real Estate shall be subject to further approval of this Court, and that the Broker shall be entitled to a commission of \$495 and five (5%) percent of the gross sales price upon approval of each sale, closing of each sale, and disbursement of the sale proceeds to Trustee or secured

lender as the case may be. Most information in the Listing Agreements, such as the price, address, and effective date will be completed after Court authorization of this Motion is obtained, and after the Trustee consults with the Broker. The initial term of any listing agreement will not exceed twelve months.

11. The Broker is a disinterested party within the meaning of § 101(14) of the Bankruptcy Code. In support thereof, the Declaration of Adam Wolverton is attached hereto as **Exhibit B**.

12. Trustee seeks authorization at this time to enter into a listing agreement for marketing and sale of the Real Estate.

13. Trustee has served notice of this Motion to the Debtor, the U.S. Trustee, and to all known creditors who have an interest in the Real Estate, and no further notice should be required.

WHEREFORE, Aja Carr Favors, not individually, but as Chapter 7 Trustee of the bankruptcy estate of Dawn Joi, requests that this Court authorize him to employ Adam Wolverton of Berkshire Hathaway Home Services Chicago Realty Group as her real estate broker; and to grant such other and further relief as this Court deems just and fair.

Dated: June 8, 2023

Respectfully submitted,

Reed Heiligman (No. 6294312)
HILTZ ZANZIG & HEILIGMAN LLC
53 West Jackson Blvd., Suite 1301
Chicago, Illinois 60604
Telephone: 312.566.9008
reed@hzhlaw.com

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